

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

RETHINK35, et al.,

*Plaintiffs,*

v.

TEXAS DEPARTMENT OF  
TRANSPORTATION,

*Defendant.*

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CIVIL ACTION NO. 1:24-CV-00092-DII

**CERTIFICATION OF ADMINISTRATIVE RECORD**  
**DECLARATION OF DOUG BOOHER**

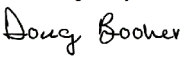
I, Doug Booher, declare as follows:

1. I am the Director of the Environmental Affairs Division of the Texas Department of Transportation (TxDOT). I have served in my Director role since 2021. I have been responsible, with others, for assembling the Administrative Record for the Record of Decision for the I-35 Capital Express Central Project from US 290 East to State Highway 71/Ben White Boulevard (“CapEx Central” or “Project”), that is the subject of this litigation.
2. Attached to this Declaration as Exhibit 1 is the Index for the Administrative Record. The documents in the Administrative Record were considered, directly or indirectly, by TxDOT in this decision. Each document is a true and correct copy of the original documents located in the files for the Project.
3. The Administrative Record is comprised of Bates-numbered, word-searchable portable document format (PDF) documents. The Index and electronic copies of all documents in the Administrative Record are collected and saved onto one flash drive. Two identical flash drives are

being delivered to the Clerk's office, one of which will be routed to the assigned Judge's Chambers by the Clerk, and two flash drives are being delivered to Plaintiffs' counsel.

4. I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and I would so testify if called upon to do so in a court of law.

Dated this 7<sup>th</sup>. day of June 2024.

DocuSigned by:  
  
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DOUG BOOHER  
Director, Environmental Affairs Division  
Texas Department of Transportation